

CHAPTER 334.

ESTABLISHMENT OF LEVEE AND DRAINAGE DISTRICTS, ETC., FOLLOWING FORMER FAILURE.

H. F. 313.

AN ACT providing for the establishment of levee and drainage districts and improvements in cases where the board of supervisors have heretofore attempted to establish the same under title X chapter 2, McClain's code of 1888, as amended and where said establishment has failed by reason of the unconstitutionality of said provision, and to provide for the district established under the provisions of this act, taking over and establishing as the improvement of this district and ditch, levee or drain all ready in whole or in part constructed, under said attempted establishment and to assess benefits therefor and to allow damages and to make such ditch, dike or drain, the improvement or a part of the improvement established under this act; and to provide for the levy and collection of taxes to be assessed against the benefited area affected by said improvements for both the cost of construction and any subsequent work done thereon as repairs and for maintenance thereof.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Levee or drainage district — establishment of, following former failure — powers of board. Where a petition has been filed asking for the establishment of a levee or drainage district, and the board of supervisors have attempted to establish said district, under the provisions of title X, chapter 2, McClain's Code 1888, or as amended, and said establishment has failed on account of said provision being unconstitutional and the work and improvement petitioned for shall have been in whole or part completed whether the original construction work, or repairs and maintenance work thereto, the board of supervisors shall have power and shall proceed to establish a district, as provided by chapter 2-A, supplement to the code, 1913, in the same manner as though a petition and bond had been filed therefor, and shall have power to establish any new improvement work in connection with that already constructed as may be recommended by the report of the engineer therein appointed, and all sections of said chapter 2-A, of the supplement to the code, 1913, shall be applicable thereto, and shall govern all proceedings in the matter of said establishment and the levy of taxes thereunder.

SEC. 2. Improvements — board empowered to take over — apportionment of benefits. In all proceedings under this act, where the improvement originally recommended has been in whole or in part constructed, or where certain repair or maintenance shall have been in whole or in part constructed, the board of supervisors shall and they are hereby empowered to take over and establish the same as the improvement work of the district established under this act, and in apportioning the benefits to the land in said district, use as a basis for the amount to be raised in the district for the improvement all ready constructed and the repair and maintenance work that may have been completed, the actual cost of said work and that amount together cost of and additional improvement or repair work and expenses shall be assessed as benefits as by the provisions of chapter 2-A, supplement to code, 1913, provided and in all cases where an assessment and levy of taxes has heretofore been attempted to have been made and taxes paid thereunder, the commissioners appointed to

16 apportion the benefits shall be governed by section 1989-a17 of said
17 chapter.

1 SEC. 3. **Damages.** In all proceedings under this act, the commis-
2 sion appointed to fix the amount of damages, and the board of super-
3 visors in determining the same, where damages have been heretofore
4 attempted to have been fixed for the improvement or repair and main-
5 tenance work, constructed, and the same have been paid to the owner
6 of lands affected by the improvement, shall deduct from the amount
7 of damages now found and determined upon the amount heretofore
8 paid, if there be any.

1 SEC. 4. **Publication clause.** This act being deemed of immediate
2 importance, shall take effect and be in force from and after its pub-
3 lication in the Des Moines Capital and in the Des Moines Register,
4 newspapers published in Des Moines, Iowa.

Approved April 23, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Register
April 25, 1919 and in the Des Moines Capital April 28, 1919.

W. S. ALLEN, *Secretary of State.*

CHAPTER 335.

BANK EXAMINERS, DEPUTY SUPERINTENDENT OF BANKING, CLERKS, ETC.

S. F. 265.

AN ACT to repeal section five (5), chapter forty (40), of the acts of the 37th general assembly of the state of Iowa, and to enact a substitute therefor, relating to the appointment, qualifications and salary of bank examiners, and to department assistants and expenses; to repeal section eighteen hundred seventy-five (1875), supplemental supplement to the code, 1915, and as amended by section five (5), chapter forty (40) of the acts of the 37th general assembly of the state of Iowa, and to enact a substitute therefor, relating to fees.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. **Repeal and substitute — bank examiners, deputy superintendent, clerks, etc. — appointment — salaries — expenses.**
1 That section five (5), chapter forty (40), of the acts of the thirty-
2 seventh general assembly of the state of Iowa, be, and the same is
3 hereby repealed, and the following enacted in lieu thereof: "The
4 superintendent of banking may appoint such examiners, to hold office
5 for a term of two (2) years, but not to exceed one examiner for each
6 one hundred (100) banks, or major fraction thereof, under his supervi-
7 sion; and may also appoint a deputy superintendent of banking, who
8 shall perform the duties attached to the office of the superintendent
9 of banking during the absence or the inability of the superintendent,
10 and as directed by him, and may also appoint such clerks, stenog-
11 raphers, and special assistants as he may need to discharge in a
12 proper manner the duties imposed on him by law; but the total in
13 number, including the deputy superintendent, shall not exceed one for